TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application No.	09/779,779
Filing Date	February 8, 2001
First Named Inventor	Jean M. Goldschmidt Iki
Art Unit	2623
Examiner Name	Raman, Usha

Total Number of Pages in This Submission	28	Attorney Docket Number	42390P6482D

ENCLOSURES *(check all that apply)*

☒ Fee Transmittal Form

    ☐ Fee Attached

☐ Amendment / Reply

    ☐ After Final
    ☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

    ☐ PTO/SB/08

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

    ☐ Basic Filing Fee
    ☐ Declaration/POA
    ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

    ☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board of Appeals and Interferences

☒ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**

☐ Proprietary Information

☐ Status Letter

☐ Other Enclosure(s) *(please identify below):*

Return postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Gordon R. Lindeen III, Reg. No. 33,192 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	March 19, 2008

CERTIFICATE OF MAILING/TRANSMISSION

Typed or printed name	**Debbie Casias**		
Signature	Debbie Casias	Date	**March 19, 2008**

FEE TRANSMITTAL
for FY 2007
Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

Complete if Known	
Application Number	09/779,779
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First Named Inventor	Jean M. Goldschmidt Iki
Examiner Name	Raman, Usha
Art Unit	2623
Attorney Docket No.	42390P6482D

TOTAL AMOUNT OF PAYMENT	($)	510.00

METHOD OF PAYMENT *(check all that apply)*

☐Check ☐Credit card ☐Money Order ☐None ☒Other (please identify): <u>Charge Deposit Account</u>

☒Deposit Account Deposit Account Number: <u>02-2666</u> Deposit Account Name: <u>Blakely, Sokoloff, Taylor & Zafman LLP</u>

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☒Charge fee(s) indicated below   ☐Charge fee(s) indicated below, except for the filing fee
☒Charge any additional fee(s) or underpayment of fee(s)   ☒Credit any overpayments
under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	460	2252	230	Extension for reply within second month	
1253	1,050	2253	525	Extension for reply within third month	
1254	1,640	2254	820	Extension for reply within fourth month	
1255	2,230	2255	1,115	Extension for reply within fifth month	
1401	510	2401	255	Notice of Appeal	
1402	510	2402	255	Filing a brief in support of an appeal	510.00
1403	1,030	2403	515	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	810	1809	405	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	810	2810	405	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) _____

	SUBTOTAL (2) ($)	510.00

SUBMITTED BY   Complete (if applicable)

Name *(Print/Type)*	Gordon R. Lindeen III	Registration No. *(Attorney/Agent)*	33,192	Telephone	(303) 740-1980
Signature				Date	03/19/08

Based on PTO/SB/17 (12-04) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 12/15/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)	
)	
Goldschmidt Iki)	Examiner: Nalevanko, C.
)	
Application No.: 09/779,779)	Art Group: 2611
)	
Filed: February 8, 2001)	
)	
For: Method and Apparatus for Selecting)	
from Multiple Versions of an)	
Entertainment Program)	

Mail Stop: Appeal Brief - Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF
IN SUPPORT OF APPELLANT'S APPEAL
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant (hereinafter "Appellant") hereby submits this Appeal Brief (hereinafter "Brief") in support of its appeal from a final decision by the Examiner, mailed November 14, 2007, in the above-referenced Application. Appellant respectfully requests consideration of this appeal by the Board of Patent Appeals and Interferences (hereinafter "Board") for allowance of the above-captioned patent application.

An oral hearing is not desired.

TABLE OF CONTENTS

I. REAL PARTY IN INTEREST

The invention is assigned to Intel Corporation of 2200 Mission College Boulevard, Santa Clara, California 95052.

II. RELATED APPEALS AND INTERFERENCES

To the best of Appellant's knowledge, there are no appeals or interferences related to the present appeal that will directly affect, be directly affected by, or have a bearing on the Board's decision.

III. STATUS OF THE CLAIMS

Claims 1-5, 7-19, and 21-26 are currently pending in the above-referenced application. No claims have been allowed. All pending claims were rejected in the Final Office Action mailed November 14, 2007, and are the subject of this appeal.

Claims 1-5, 9-19, 21-22 and 25 stand rejected under 35 U.S.C. § 103.

IV. STATUS OF AMENDMENTS

In response to the Final Office Action mailed on November 14, 2007, rejecting claims 1-5, 7-19, and 21-26, Appellant timely filed a Notice of Appeal on February 13, 2008.

A copy of all claims on appeal is attached hereto as Appendix A.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The following paragraph from page 3, lines 5-13 of the originally filed specification is believed to be instructive in considering the present application.

"One problem facing users with these increased television programming options is the possibility for the receipt of multiple versions of essentially the same program from multiple sources. For example, two different sources may be broadcasting the same movie at approximately the same time. Differences may exist between these multiple versions and because of these differences a user may prefer to view one over the other. However, given the large selection of television programming options available to the user, locating such different versions can be difficult. Furthermore, the ability for the user to know which version he or she prefers is often difficult, as these differences are typically not made available to the user."

Claim 1 refers to a method with the following elements:

receiving user preferences for entertainment program characteristics from a user at an electronic device; (*See e.g. page 12, line 22-page 13, line 6*)

storing the received user preferences at the electronic device; (*See e.g. page 12, line 22-page 13, line 6*)

receiving an electronic programming guide at the electronic device; (*See e.g. page 12, lines 9-15*)

receiving a selection of an entertainment program within the electronic programming guide from a user at the electronic device; (*See e.g. page 13, line18*)

identifying multiple available versions of the same selected entertainment program in the electronic programming guide; (*See e.g. page 14, lines 1-2*)

determining whether multiple versions are available; (*See e.g. page 14, lines 14-15*)

identifying, for each of the multiple versions, if multiple versions are available, a plurality of characteristics of each respective version of the same selected entertainment program; (*See e.g. page*)

determining whether automatic program selection has been configured; (*See e.g. page 15, lines 14-15*)

displaying the identified versions if automatic program selection has not been configured; (*See e.g. page 14, line22, page 15, line 7*) and

selecting, by the electronic device, if automatic program selection has been configured, (*See e.g. page 14, line 22*) one of the multiple versions for display by comparing the identified characteristics to the received user preferences for entertainment program characteristics and selecting the program that has the most characteristics conforming to the user preferences. (*See e.g. page 15, lines 13-19*)

Claim 10 is a means plus function claim based on Claim 1 that includes instructions for the following operations:

receiving user preferences for entertainment program characteristics from a user at an electronic device; (*See e.g. page 12, line 22-page 13, line 6*)

storing the received user preferences at the electronic device; (*See e.g. page 12, line 22-page 13, line 6*)

receiving an electronic programming guide at the electronic device; (*See e.g. page 12, lines 9-15*)

receiving a selection of an entertainment program within the electronic programming guide from a user at the electronic device; (*See e.g. page 13, line18*)

identifying multiple available versions of the same selected entertainment program in the electronic programming guide; (*See e.g. page 14, lines 1-2*)

determining whether multiple versions are available; (*See e.g. page 14, lines 14-15*)

identifying, for each of the multiple versions, if multiple versions are available, a plurality of characteristics of each respective version of the same selected entertainment program; (*See e.g. page*)

determining whether automatic program selection has been configured; (*See e.g. page 15, lines 14-15*)

displaying the identified versions if automatic program selection has not been configured; (*See e.g. page 14, line22, page 15, line 7*) and

selecting, by the electronic device, if automatic program selection has been configured, (*See e.g. page 14, line 22*) one of the multiple versions for display by comparing the identified characteristics to the received user preferences for entertainment program characteristics and selecting the program that has the most characteristics conforming to the user preferences. (*See e.g. page 15, lines 13-19*)

Claim 16 is directed to an apparatus with the following elements:

a program guide controller to receive and store an electronic programming guide; *(See e.g. page 12, lines 9-15)*

a user preferences store containing user preferences received from a user for entertainment program characteristics, the user preferences including a configuration for automatic or manual program selection; *(See e.g. page 12, line 22-page 13, line 6; page 13, lines 5-6; page 14, line 22; page 15, lines 14-15)*

a selection controller coupled to the program guide controller to receive a selection of an entertainment program, to identify multiple available versions of the selected entertainment program, to identify, for each of the multiple versions, if multiple versions are available, a plurality of characteristics of each respective version, to determine whether automatic or manual program selection has been configured, to display the identified versions if manual program selection is configured, and to select one of the multiple versions for display, if automatic program selection has been configured, by comparing the identified characteristics to the stored user preferences for entertainment program characteristics and selecting the program that has the most characteristics conforming to the user preferences; *(See e.g. page 12, lines 16-21)* and

a device controller, coupled to the selection controller, to display the selected one of the multiple versions of the entertainment program. *(See e.g. page 12, lines 5-8)*

VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-5, 9-19, 21-22 and 25 stand rejected under 35 U.S.C. §102(e) as being anticipated by Schein et al., U.S. Patent Application No. 2006/0168620 ("Schein"), Morrison, U.S. Patent No. 6,359,580 ("Morrison") and in further view of Rosser, U.S. Patent No. 6,446,261 ("Rosser").

VII. ARGUMENT

A. Introduction

The prosecution of the application has focused primarily on Claim 1 and, accordingly, only Claim 1 is discussed below. Applicants submit that if Claim 1 is allowable on the grounds discussed below, then all of the claims are allowable.

The Examiner has cited three references in combination to reject the claims. These references and their application are summarized below:

In Schein, the user has a "When Else" key or button (See e.g. Fig. 2, item 48). After selecting a program, the user can select "When Else," and other broadcast times are displayed (See e.g. Fig. 3). The user can then select to watch, record, etc any of the displayed choices (See e.g. Fig. 4).

In Morrison, after a user inputs an ambiguous channel number, the different broadcasters that use the same channel number are displayed (See e.g. Fig. 2). The user can then select his desired broadcaster (See e.g. Fig. 3). Alternatively, there can be a programmed default broadcaster to use whenever the same channel number is used by more than one broadcaster.

Rosser is relied upon to show program selection methodologies and multiple user preferences. Rosser, however, as explained in its abstract, is directed to a system for selecting commercials at the head end. Rosser tracks viewer behavior and maps that to statistics generated through polling to determine user demographics. The demographics are used to select appropriate advertising (called insertable indicia). A closer review of Rosser also reveals that Rosser not only does not suggest multiple versions of a program, it does not even suggest multiple versions of a commercial, but instead different commercials for different products.

B. The References fail to Show the Fundamental Operations as Presented in the Pending Claims.

As recited in Claim 1, there is a particular set of operations in the invention that includes:

"receiving a selection of an entertainment program... from the user." (Schein)

"identifying multiple available versions of the same selected entertainment program." (Schein)

"selecting... one of the multiple versions for display by comparing the identified characteristics to the received user preferences.. and selecting the program that has the most characteristics conforming to the user preferences." (Morrison)

The parenthetical after each operation indicates which reference the Examiner has applied to these operations. In Schein the user can select a program from the Electronic Programming Guide (EPG) and then hit the "When Else" key. This causes a search for broadcasts with the same name as shown in Schein Figure 3.

Morrison shows that if a user selects channel 105, which corresponds to a DSS™ (Direct Broadcast Satellite) channel, a cable television channel and a terrestrial broadcast channel (NBC), then the display will show the three different channel 105's (Fig. 2). A default can be set that will cause the set-top box (STB) to always highlight the set (default) source (DSS). After a time-out, the STB will tune to the set source (Col. 3, lines 7-14). Morrison suggests that this can also be done for channels that include multiple channels in the example of Channel 37, including channel 37a, 37b, 37c, 37d. (In current systems, these might show in a guide as 37-1, 37-2, 37-3, and 37-4.)

In order to adapt Morrison to perform the operations recited in the claims, (1) the channel number functions must be changed to functions on a selected program of the type shown in Schein Fig. 3. (2) The default channel source of Morrison must be changed to a plurality of characteristics about each program. (3) The default highlight and tune to function of Morrison must be changed to comparing an identified plurality of characteristics to user preferences and selecting the program that has the most conforming characteristics.

Accordingly, the claimed invention, even for these three operations, is not a combination of known operations. There is quite a bit that is missing from both references.

C.   The Cited References are Directed to a Different Problem so that it is not Obvious to Apply the Cited References to the Present Invention.

The Examiner would suggest that the three modifications mentioned above would be obvious. Applicants disagree because making the modifications would require some exercise of inventive skill.

There is a fundamental realization for the present invention that has not been made in the prior art. According to the present invention, an "entertainment program" is available in more than one version and the user prefers one version over the other. The present invention is able to determine which version the user prefers and provide that version to the viewer.

Schein has nothing to do with this realization. In Schein, the program is available at another time and Schein lists the other later times. In Morrison, the channel numbers overlap and Morrison lists all channels that match the number and ask the viewer to choose which one is intended.

The references do not relate to the issue of determining which version of a program will be the best for that particular viewer.

D.   The Cited References are So Different and So Far from the Present Invention that it Would not be Obvious to Combine Them.

The proposed combination of Schein and Morrison takes the two references out of context destroying the functions of the teachings in the reference. The Examiner relies upon Schein to show selecting a program and determining characteristics of the program (the characteristics are air time and channel). However, Schein has nothing to say about automatically selecting one of the later broadcasts. The Examiner relies on Morrison for selecting a program, but Morrison's selection has nothing to do with the characteristics of a program. Morrison uses a single characteristic, the source of the numbered channel. The show on the other channels might be the same, but more likely is different. In other words, the references provide no connection or nexus between the program characteristics and the automated selection. There is nothing in these references, nor in the prior art as a whole that would lead a person of average skill to make such a combination.

Even ignoring the missing connections between the teachings of the references, the Examiner suggests that it would be obvious to adapt Schein to use the default selection of Morrison. In Schein the issue is viewing times and the prior art has nothing to say about how to program in a viewing time. It is not a simple obvious step but would be quite difficult. The default viewing time would have to depend on the day, the time of day, and the user's schedule. It would be difficult, if not impossible, for a user to program in a consistent preferred later viewing time for a program found with "When Else." A little later might interfere with dinner, or a concert, or it might not. Much later might be better for recording, but too late for viewing. Accordingly, it is not obvious to add a default viewing time to Schein. This goes beyond the teachings of either reference.

In addition, Morrison is insufficient to provide the combination. Any workable automation would require significant additions to Morrison and Schein to accommodate user schedules, preferred sources, and the reason for the later time (e.g. viewing or recording). Morrison simply fails to provide any of these additional teachings.

Morrison is not concerned about selecting programs, but about selecting sources for channel numbers. It is not so difficult for a user to prefer satellite over cable, or satellite over terrestrial broadcast for picture quality, or cable or terrestrial broadcast over satellite for price. However, Morrison does not help to select a particular version of a program and there is nothing in Morrison to suggest such a thing. It is extremely unlikely, that channel number 105 broadcasts the same show at any one time for DSS, for cable and for NBC. Cable and satellite broadcasters, as a rule, use different channel numbers for the same network and these almost always differ from the terrestrial radio channel numbers.

In brief, the proposed combination requires innovations and modifications that are not contemplated in the references, nor in the rest of the prior art of record. Schein and Morrison are not combinable because they are directed at different problems. Such a combination would allow a user to disambiguate redundant channel numbers when selecting a channel and would allow a user to see other broadcast times for a particular show. The suggestion that Morrison would lead a person of average skill to add automatic alternative broadcast time selection to Schein simply goes far beyond anything suggested in either reference.

E.   The Examiner's Response To Arguments Fails to Overcome the Shortcomings in the Cited References

The Examiner argues in the final rejection that if in Schein the same show (e..g. Gone with the Wind) is being shown by a network (e.g. NBC) that is provided through multiple sources (e.g. cable, satellite), then the characteristics of each showing (date, airtime, network, signal source) will be indicated in the program guide.

The Examiner then argues that the program guide will then show both occurrences of the program with the identified characteristics. It would appear that the Examiner means that this would happen when the "When Else" key is pushed. This might be true if the other showings were later in time. The display would, of course, be limited to the types of characteristics shown in Morrison's Figure 3 (source, day, time).

The Examiner further argues that if the user deletes one of the overlapping channel sources (e.g. HBO on satellite) (para. 31), then the STB will automatically select the show that is on the undeleted source. This depends on what is meant by "select." The Examiner has assumed that the system will find all the shows first and then exclude some of them based on the stored source preferences. This is not in the reference. It is as likely that Schein will only search the sources that are preferred. In addition, the Examiner has assumed that the "When Else" display will exclude the unwanted channels. This is also not in the reference.

To put this more concretely, Figure 3 of Schein shows that NBC is showing Gone with the Wind. If the user has NBC from cable and NBC from an antenna, the user can select to watch and display only NBC from the cable provider. The Examiner suggests that the system finds all the episodes of Gone with the Wind and does not display NBC from the antenna, since cable is preferred. It is as likely or more likely that the system ignores NBC from the antenna entirely in the search. This is even more the case since the programming data for both NBC's is identical. There is probably only one source of data to search. As a result, there would be no identification of multiple versions, comparison of characteristics and selection. Instead, after the show is found from the one data source, the broadcast source is then identified for the display.

Second, the Examiner has stretched the terminology of the claims. Claim 1 refers to identifying programs and identifying characteristics of the programs. Schein identifies

channels and in an unrelated process identifies programs. Schein makes no connection between these two operations.

F.   The Rejection Ignores Many Additional Limitations in the Claims of the Present Invention

The Examiner relies on Rosser for most of the remaining details of Claim 1, none of which are disclosed in Schein and Morrison. Claim 1 differs from Schein and Morrison in all of the features below:

determining whether multiple versions are available,

identifying a plurality of characteristics,

determining whether automatic program selection has been configured,

displaying the identified versions if automatic selection is not configured,

selecting a program if automatic selection is configured,

selecting the program with the most conforming characteristics.

Rosser is directed to selecting among commercials for different items, not for multiple available versions of a commercial. Targeted commercials have been and remain a matter of great interest and this interest is reflected in direct mail advertising, the selection of types of ads based on the type of programs, type of magazine, section of newspaper etc. Applicants submit that there has been no such level of interest in targeted programming.

The present invention is not simply an approach to choosing between a game, a sitcom, the news or a movie, nor is it an approach to choosing between different sitcoms. Similarly, it is not an approach to choosing between a car, dishwashing soap, airline travel or clothing as in Rosser. It is also not an approach to choosing between an economy car commercial and a luxury car commercial. The present invention relates to " multiple available versions of [one] entertainment program." Rosser treats all ads for a single product as identical. The present invention recognizes that the assumption that things are identical may no longer be valid.

Fundamentally, the problem of selecting between multiple available versions of a single entertainment program is a different problem from selecting between different

programs, or more accurately different commercials. The references do not suggest an approach to selecting between different programs.

Applicants respectfully submit that commercials are fundamentally different from entertainment programs and that "versions of an entertainment program" are fundamentally different from versions of a commercial, from different commercials, and from different entertainment programs. The Examiner would appear to be ignoring these limitations of the claims.

Rosser is relied upon to show program selection methodologies and multiple user preferences. Rosser, however, as explained in its abstract, is directed to a system for selecting commercials at the head end. A closer review of Rosser also reveals that Rosser does not have any teachings regarding multiple versions of a commercial but rather different commercials for different products.

The claims of the present application are directed to operations at the receiver for selecting programs. Applicants respectfully submit that even if Applicants had taken Rosser and moved it into a home receiver and then adapted it for user configurable program selection, then this, in and of itself, would be inventive. Rosser relies on user selections of programs to determine which products to advertise. Automating program selection vitiates the foundation of Rosser. It would not be obvious to adapt Rosser to a purpose so remote from its original intention.

However, the present invention goes beyond that. Instead, the present invention selects versions of the same program. The types of user preferences used to select a product to advertise probably have nothing to do with the kinds of user preferences used to select which version of a program to show. In addition, Rosser has no way to select from different versions of the same commercial. Rosser is about selecting a product. The commercial then follows directly from that.

None of the three references suggests making a selection of one of the programs by comparing multiple characteristics for the programs to user preferences. In Schein, the user makes the choice. In Morrison there are no programs, the selection is between different networks, or broadcasters and there is only one characteristic used, the network or broadcaster name. In Rosser, different commercials are being chosen at the head end.

G.   Closing

Only with the advent of new programming sources and the myriad formats offered by digital television has the selection of multiple available versions of an entertainment program become significant. Many big screen TV households now have the option of watching Monday Night Football as an NTSC (National Television System Committee) version on an analog terrestrial or cable channel, as a digital SD (standard definition) version on a terrestrial, cable, or satellite channel, or as a digital HD (high definition) version on a cable, DBS, or digital terrestrial broadcast channel. In addition to different levels of definition, there may be different amounts of compression for the same definition and different levels of audio support. All of these channels may carry the same game and the same sportscasters, but the video and audio formats and compression rates may be very different for each one. Finding the choices is one matter, selecting one of the choices is another. The problem of making such a selection is simply not contemplated by the references. Note how there is nothing in the profiles of Rosser that could be used for such a selection.
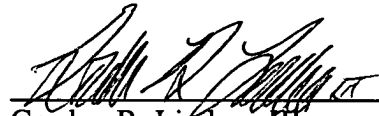
VIII. CONCLUSION

Appellant respectfully submits that all appealed claims in this application are patentable and were improperly rejected by the Examiner during prosecution before the United States Patent and Trademark Office. Appellant respectfully requests that the Board of Patent Appeals and Interferences overrule the Examiner and direct allowance of the rejected claims.

This Brief is submitted with a check for $510.00 to cover the appeal fee for one other than a small entity as specified in 37 C.F.R. § 1.17(c). Please charge any shortages and credit any overpayments to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: March 19, 2008

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IX. APPENDIX OF CLAIMS (37 C.F.R. § 41.37(c)(1)(viii))

1.   A method comprising:

receiving user preferences for entertainment program characteristics from a user at an electronic device;

storing the received user preferences at the electronic device;

receiving an electronic programming guide at the electronic device;

receiving a selection of an entertainment program within the electronic programming guide from a user at the electronic device;

identifying multiple available versions of the same selected entertainment program in the electronic programming guide;

determining whether multiple versions are available;

identifying, for each of the multiple versions, if multiple versions are available, a plurality of characteristics of each respective version of the same selected entertainment program;

determining whether automatic program selection has been configured;

displaying the identified versions if automatic program selection has not been configured; and

selecting, by the electronic device, if automatic program selection has been configured, one of the multiple versions for display by comparing the identified characteristics to the received user preferences for entertainment program characteristics and selecting the program that has the most characteristics conforming to the user preferences.

2.   The method of claim 1, wherein identifying comprises identifying multiple versions of the entertainment program that start within a threshold period of time of one another.

3.   The method of claim 1, wherein at least some of the multiple versions are provided on different transport media, the method further comprising:

identifying, for each of the one or more different channel transport media, a set of descriptive information regarding the channel transport medium; and

wherein selecting comprises selecting one of the multiple versions for display based on the sets of channel transport medium descriptive information.

4.   The method of claim 1, wherein identifying multiple versions comprises identifying alternate versions of the selected entertainment program that all start at approximately the same time.

5.   The method of claim 1, wherein selecting comprises selecting the one of the multiple versions having the identified characteristics most closely resembling the user preferences for entertainment program characteristics.

6.   (Canceled)

7.   The method of claim 1, wherein the identified characteristics for each of the multiple versions includes one or more of channel transport medium, duration of the version, type of audio support for the version, availability of enhanced programming for the version, language of subtitles in the version, language spoken in the version, screen format of the version, and color code of the version.

8.   The method of claim 1, further comprising:

identifying a user of an entertainment system;

accessing user preferences for the identified user;

and wherein selecting comprises selecting the one of the multiple versions for display based on a comparison of the identified characteristics to the accessed user preferences.

9. The method of claim 1, wherein identifying multiple versions comprises identifying multiple versions in the electronic programming guide.

10. A storage medium having stored thereon a plurality of instructions that, when executed by a processor, result in:

receiving user preferences for entertainment program characteristics from a user at an electronic device;

storing the received user preferences at the electronic device;

receiving an electronic programming guide at the electronic device receiving a selection of an entertainment program within the electronic programming guide from a user at the electronic device;

identifying multiple available versions of the same selected entertainment program in the electronic programming guide;

determining whether multiple versions are available;

identifying, for each of the multiple versions, if multiple versions are available, a plurality of characteristics of each respective version of the same selected entertainment program;

determining whether automatic program selection has been configured;

displaying the identified versions if automatic program selection has not been configured; and

selecting, by the electronic device, if automatic program selection has been configured, one of the multiple versions for display by comparing the identified

characteristics to the received user preferences for entertainment program characteristics and selecting the program that has the most characteristics conforming to the user preferences.

11. The storage medium of claim 10, wherein the plurality of instructions, when executed by the processor, further result in identifying multiple versions of the entertainment program that start within a threshold period of time of one another.

12. The storage medium of claim 10, wherein at least some of the multiple versions are provided on different transport media, wherein the plurality of instructions, when executed by the processor, further result in:

identifying, for each of the one or more different channel transport media, a set of descriptive information regarding the channel transport medium; and

selecting one of the multiple versions for display based on the sets of channel transport medium descriptive information.

13. The storage medium of claim 10, wherein the plurality of instructions, when executed by the processor, further result in identifying alternate versions of the selected entertainment program that all start at approximately the same time.

14. The storage medium of claim 10, wherein the plurality of instructions, when executed by the processor, further result in selecting the one of the multiple versions of the entertainment program having the identified characteristics most closely resembling the set of user preferences.

15. The storage medium of claim 10, wherein the identified characteristics for each of the multiple versions includes one or more of channel transport medium, duration of the version, type of audio support for the version, availability of enhanced programming for the version, language of subtitles in the version, language spoken in the

version, screen format of the version, and color code of the version.

16. An apparatus comprising:

a program guide controller to receive and store an electronic programming guide;

a user preferences store containing user preferences received from a user for entertainment program characteristics, the user preferences including a configuration for automatic or manual program selection;

a selection controller coupled to the program guide controller to receive a selection of an entertainment program, to identify multiple available versions of the selected entertainment program, to identify, for each of the multiple versions, if multiple versions are available, a plurality of characteristics of each respective version, to determine whether automatic or manual program selection has been configured, to display the identified versions if manual program selection is configured, and to select one of the multiple versions for display, if automatic program selection has been configured, by comparing the identified characteristics to the stored user preferences for entertainment program characteristics and selecting the program that has the most characteristics conforming to the user preferences; and

a device controller, coupled to the selection controller, to display the selected one of the multiple versions of the entertainment program.

17. The apparatus of claim 16, wherein the selection controller is also to identify multiple versions of the entertainment program that start within a threshold period of time of one another.

18. The apparatus of claim 16, wherein at least some of the multiple versions are provided on different transport media and wherein the selection controller is further to:

identify, for each of the one or more different channel transport media, a set of descriptive information regarding the channel transport medium; and

choose one of the multiple versions for display based on the sets of descriptive information.

19. The apparatus of claim 16, wherein in selecting one of the multiple versions for display, the selection controller is to select the one of the multiple versions of the entertainment program having the characteristics most closely resembling the set of user preferences.

20. (Canceled)

21. The apparatus of claim 16, wherein the characteristics for each of the multiple versions includes one or more of duration of the version, type of audio support for the version, availability of enhanced programming for the version, language of subtitles in the version, language spoken in the version, screen format of the version, and color code of the version.

22. The method of claim 1, further comprising determining the user preferences by receiving preference information through manual inputs from a user.

23. The method of claim 1, further comprising determining the user preferences by monitoring the viewing behavior of a user.

24. The method of claim 1, further comprising identifying a particular user and applying user preferences for the identified user.

25. The apparatus of claim 16, further comprising a user interface controller to receive user preferences through manual information inputs from a user.

26. The apparatus of claim 16, further comprising user preferences to monitor the viewing behavior of a user and determine the user preferences thereby.

X.   EVIDENCE APPENDIX

None.

XI.   RELATED PROCEEDINGS APPENDIX

None.